



1637
PATENT

Attorney Docket: 056297-5012-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Thomas GINGERAS *et al.*

Application No. 09/285,306

Filed: April 2, 1999

For: MYCOBACTERIAL RpoB SEQUENCES

Group Art Unit: 1637

Examiner: C. Wilder

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place, Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

AMENDMENT TRANSMITTAL FORM

- Transmitted herewith is an Amendment responding to the Office Action dated October 4, 2004, time for response to which expires January 4, 2005.
- Additional Papers:

- ☒ Information Disclosure Statement
- ☒ PTO Form 1449 listing 62 references
- ☒ 42 references

- Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☒ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

01/05/2005 AAD0E01 00000080 500310 09285306

01-FC:1806 180-00 DA

5. Fee Payment

- ☒ The Commissioner is hereby authorized to charge the amount of **\$180.00** for an Information Disclosure Statement to Deposit Account No. 50-0310.

6. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: January 4, 2005

By: _____

Bonnie Weiss McLeod
Bonnie Weiss McLeod
Reg. No. 43,255

Customer No. 000033522
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Ave., N.W.
Washington, DC 20004
202.739.3000 (voice)
202.739.3001 (fax)